

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JEFFREY J. LIMLEY,

Defendant.

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CASE NO. 8:06CR73

**MEMORANDUM
AND ORDER**

This matter is before the Court on the Defendant's motion for leave to proceed on appeal in forma pauperis (Filing No. 80). The motion is supplemented with an Affidavit (Filing No. 81). The Defendant filed a Notice of Appeal. (Filing No. 79.)

The Defendant has been permitted to proceed in district court previously as one financially unable to obtain adequate defense. Although the Defendant retained an attorney for a time, he initially was represented by CJA counsel. Therefore, in view of this history and Affidavit, the Court finds that the Defendant may proceed on appeal in forma pauperis without further authorization. The Court does not intend to certify that the appeal is not taken in good faith or find that the Defendant is not otherwise entitled to proceed in forma pauperis. Fed. R. App. P. 24(a)(3).

IT IS ORDERED:

1. The Defendant's motion for leave to proceed on appeal in forma pauperis (Filing No. 80) is granted; and
2. The Defendant may proceed on appeal in forma pauperis.

DATED this 30th day of April, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge